

REMARKS

Claims 1-4, 6-16 and 18-25 are pending. By this Amendment, claims 1, 16 and 22 are amended

The courtesies extended to Applicants' representative by Examiners Davis and Trieu at the interview held June 10, 2008 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

An Election of Species was required and Figs. 3, 4A- 4C and 9A-9C were elected. Claims 1, 2, 6-10, 14-16, 18-21, 24 and 25 read on the elected species. As discussed during the personal interview, Applicants request rejoinder of withdrawn claims 3, 4, 11-13, 22 and 23. After further review, claims 3, 4 and 11-13 read on elected Figs. 4A-4C and 9A-9C, and claim 23 reads on elected Figs. 9A-9C. Claim 22 has been amended such that it reads on elected Figs. 4A-4C.

Claims 1, 2 and 5-9 were rejected under 35 U.S.C. §102(b) individually over EP 0933532 (Nakamura), WO 98/42984 (Ostberg), and WO 98/03794 (Adorjan), and claims 16-18 and 21 were rejected under 35 U.S.C. §103(a) individually over Nakamura, Ostberg or Adorjan in view of JP-B2-7-80304 (Takehiko). The rejections are respectfully traversed.

As discussed during the personal interview, Nakamura, Adorjan and Takehiko fail to disclose or suggest a pump, wherein the pump is structured such that when the first through hole and the second through hole are on a same side with respect to the partition, a fluid resistance between the first through hole and the second through hole is variable, as called for by independent claims 1 and 16. None of the applied references disclose the variable fluid resistance because none of the applied references provide structure for the case, rotor or partition that would allow for variable fluid resistance.

As discussed during the personal interview, Ostberg discloses that the housing 2 is able to move radially apart from the rotor 3 at the area between the rotor 3 and the housing 2 (i.e., at the arc 10). However, Ostberg only states that this movement occurs in the event of excessive pressure or during the entrapment of debris between the rotor 3 and the housing 2 in order to pump fluids containing entrained foreign matter (page 9, lines 8-18).

Osteberg fails to provide any discussion with regard to using their pump for printing purposes or structuring their pump such that a fluid resistance between the first through hole and the second through hole is variable during a printing operation and a purging operation as called for by independent claims 1 and 16.

It is respectfully requested that the rejections be withdrawn.

In view of the foregoing and the Amendment filed June 3, 2008, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Scott M. Schulte
Registration No. 44,325

JAO:SMS/ejw
Date: August 27, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461